

REMARKS

This Amendment is being filed with a Request for Continued Examination. The Application has been carefully reviewed in light of the Office Action mailed December 15, 2006 ("Office Action"). At the time of the Office Action, Claims 1 and 4-31 were pending in the Application. In the Office Action, the Examiner rejects Claims 1 and 4-31. To advance prosecution of this case, Applicants amend Claims 1, 9, 21, and 26. In addition, Applicants add new Claim 32. Applicants do not admit that any amendments are necessary due to any prior art or any of the Examiner's rejections. Applicants respectfully request reconsideration and allowance of Claims 1 and 4-32.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejects Claims 1 and 4-31 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0144057 A1 to Brenner, et al. ("*Brenner*"). Applicants respectfully request reconsideration and allowance of Claims 1 and 4-31.

Brenner fails to teach, suggest, or disclose each element of amended Claim 1. In particular, *Brenner* fails to teach, suggest, or disclose "a first wagering facility that comprises a first plurality of betting terminals", "a second wagering facility that comprises a second plurality of betting terminals", and determining "a settlement between the first and second wagering facilities" as recited in amended Claim 1. *Brenner* describes a network that allows users to place wagers on events hosted by various racetracks. (¶ 46). To place a wager on an event, an individual bettor uses a "user terminal" to establish a connection with a totalisator at a racetrack. (¶ 57-58). Using the user terminal, the bettor establishes an account with the racetrack and then submits a wager. (¶ 57-58). Based on the outcome of the event, the totalisator may credit the individual bettor's account if the wager is a winning wager. (¶¶ 57-58). Thus, *Brenner* discloses crediting or debiting an account between an individual bettor and a particular racetrack's totalisator.

In the Office Action, the Examiner equates the user terminal in *Brenner* with the "first wagering facility" recited in Claim 1. In particular, the Office Action states: "the first wagering facility can be user computer through which the user makes the selection and the selection is transmitted to the second wagering facility, i.e. OTB." (Office Action; page 3). Equating the user terminal in *Brenner* with the "first wagering facility" recited in amended

Claim 1 is improper. The user terminal in *Brenner* does not teach, suggest, or disclose “a first wagering facility that comprises a first plurality of betting terminals” as recited in amended Claim 1. Indeed, there is nothing in *Brenner* that teaches, suggests, or discloses that a user terminal comprises a “plurality of betting terminals” as recited in amended Claim 1. Thus, *Brenner* fails to teach, suggest, or disclose “a first wagering facility that comprises a first plurality of betting terminals”, “a second wagering facility that comprises a second plurality of betting terminals”, and determining “a settlement between the first and second wagering facilities” as recited in amended Claim 1. For at least the foregoing reasons, Applicants respectfully request reconsideration and allowance of amended Claim 1.

In rejecting Claims 21 and 26, the Examiner employs the same rationale used to reject Claim 1. Accordingly, for at least the reasons stated above with respect to amended Claim 1, Applicants respectfully request reconsideration and allowance of amended Claims 21 and 26.

Claims 4-20, 22-25, and 27-32 depend from independent claims shown above to be allowable. In addition, these claims recite further elements not taught, suggested, or disclosed by *Brenner*. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 4-20, 22-25, and 27-32.

CONCLUSION

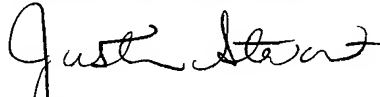
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Justin N. Stewart, Attorney for Applicants, at the Examiner's convenience at (214) 953-6755.

The Commissioner is hereby authorized to charge the two-month extension fee of \$ 450.00 and to charge any discrepancy or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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